

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

T & H BAIL BONDS, ET AL.	:	CIVIL ACTION
	:	
Plaintiffs	:	NO. 04-1290
	:	(Judge Robinson)
v.	:	
	:	
LOCAL 199, LABORERS	:	
INTERNATIONAL UNION OF	:	
NORTH AMERICA, ET AL.	:	
	:	
Defendants	:	

DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT

Defendants move pursuant to Rule 56(b) of the Federal Rules of Civil Procedure for summary judgment as to Count I of plaintiffs' Complaint and state in support thereof that there are no material facts in dispute and that they are entitled to judgment as a matter of law in that the issues raised in Count I are preempted by the primary jurisdiction of the National Labor Relations Board.

Respectfully submitted,

/s/ Joseph J. Rhoades

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Dated: December 10, 2007

CERTIFICATE OF SERVICE

I, Carol McCool, Legal Assistant, hereby certify that on this 10th day of December, 2007, I caused to be served upon plaintiffs' counsel two true and correct copies of Defendants' Motion for Partial Summary Judgment and Brief in Support of Motion by First Class U.S. Mail to the following address:

John F. Brady, Esquire
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/s/Carol McCool

Carol McCool